

Application No. 09/911,108
Reply dated 14 April 2004
Responsive to Office Action mailed 24 March 2004

9 of 11

REMARKS

Amendments to the Description

A paragraph in the Background section of the subject Application has been amended to correct the number of a reference. Several paragraphs have been amended to add or replace information identifying applications with information identifying the patents into which they have matured. A paragraph has been amended to correct the named inventor's name. A paragraph has been amended to correct the spelling of "removable".

In addition, two sequential paragraphs on pages 31 and 32 of the specification as originally filed have been amended to clarify their wording. In particular, the structural element identified by the reference numeral 800 and shown in Figures 11 and 12 is clearly shown and described as a pocket into which fingers may be slipped for the insertion of an absorbent core component into a disposable absorbent article. This element was originally denoted as a "pocket inserter", but it is felt that renaming it an "insertion pocket" better reflects its function (for insertion) in relation to its form (a pocket). A few points of punctuation and word usage have also been corrected in these two paragraphs.

Amendments to the Claims

Independent Claim 1 and all of the claims depending from it have been amended to claim a disposable absorbent article comprising the absorbent core originally recited in Claim 1. Support for this change is found throughout the original Application, including in original Claim 16.

Claim 1 has also been amended to describe the disposable absorbent article in terms of its comprising a topsheet and a backsheet in addition to the absorbent core, as well as having longitudinally opposing waistband regions. Support for this change is found throughout the original Application, including in the description of the diaper shown in Figure 1 that bridges from page 6 onto page 7 and the immediately following paragraph.

Finally, Claim 1 has been amended to make its wording consistent with the above changes throughout, to properly introduce a total absorbent capacity of the absorbent core, and to add the inadvertently omitted word "core" in the term "absorbent core component".

Claim 2 has been amended to make its wording consistent with Claim 1, from which it depends.

Application No. 09/911,108
Reply dated 14 April 2004
Responsive to Office Action mailed 24 March 2004

10 of 11

Claim 4 has been amended to recite that the storage/redistribution member includes one or more of several listed materials, rather than being "made from" those materials, to conform its wording to usual claim wording.

Claim 9 has been amended to properly introduce an element.

Claim 11 has been amended to recite that the acquisition/distribution member includes one or more of several listed materials, rather than being "made from" those materials, to conform its wording to usual claim wording.

Claim 14 has been amended to properly introduce an element.

The limitation of **Claim 16** as originally filed has been incorporated into Claim 1 and **Claim 16** has been amended to describe an insertion pocket that was previously disclosed but not claimed.

Claims 17 and 18 have been amended to more clearly and directly describe a common feature, namely the "opening" for access, of the structures shown in **Figures 7, 8, and 9** and described on pages 28 and 29.

Claim 19 has been amended to describe the embodiment shown in **Figure 8** and described on page 28.

Claim 20 has been amended to more clearly and directly describe the embodiment shown in **Figure 10** and described on page 31.

Restriction Requirement

In the Office Action, it was required that one of four species be elected for prosecution on the merits. This requirement is respectfully traversed on the ground that the subject Application could be searched and examined without serious burden and therefore the requirement of MPEP 803 has not been met.

According to the Office Action, there are only four species, which is not an unreasonable number of species. Also, as noted in the Office Action, **Claim 1** is generic to all of the four embodiments depicted in **Figures 7, 8, 9, and 10**, which are listed in the Office Action as defining the four species. It is respectfully averred that, in fact, **Claims 1 through 16** are generic. Only **Claims 17 through 20** uniquely relate to the specific embodiments depicted in **Figures 7, 8, 9, and 10**. Reconsideration of the requirement to elect a single species is requested.

Application No. 09/911,108
Reply dated 14 April 2004
Responsive to Office Action mailed 24 March 2004

11 of 11

Nevertheless, in order to provide a complete reply, the species designated in the Office Action as **Species 1 – Figure 7** is hereby provisionally elected. It is also averred that **Claims 1 through 18** read on the provisionally elected species.

Telephone Call

It is stated in paragraph 2 of the Office Action that a telephone call was made to the undersigned on 18 March 2004 to request an oral election, but did not result in an election being made. It is respectfully noted that no such telephone call was received by the undersigned or recorded by the messaging system serving this office. This fact raises the concern that the Examiner might not have the correct telephone number for the undersigned or might have telephoned another party. It is requested that the Examiner verify that the telephone number provided at the end of this paper is correctly noted in the file. It is also desired to assure the Examiner that the undersigned will be happy to discuss any issue that might arise in the future in this or any other case.

Summary of this Reply

No new matter has been added in this reply. Several paragraphs in the description and all of the pending claims have been amended to correct and clarify their wording with the intention of advancing the prosecution of the subject Application without raising new issues or "changing direction" in any way. The requirement to elect a species has been traversed, but a provisional election has been made in order to provide a complete reply.

Respectfully submitted,

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